

ORIGINAL

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the matter of	)	
	)	
Amendment of the FM Table of	)	MM Docket No. 99-78
Allotments to Add Channels 221A	)	File Nos. RM-9487 and
and 283A at Blackduck and	)	RM-9646
Kelliher, Minnesota	)	

TO: Magalie Roman Salas, Secretary  
for direction to  
John A. Karousos, Chief  
Allocations Branch, Policy and Rules Division

REPLY COMMENTS OF COMMUNITY RELIGIOUS BROADCASTERS  
TO COUNTERPROPOSAL OF DE LA HUNT BROADCASTING

1. Community Religious Broadcasters ("CRB") hereby submits its Reply Comments relative to the Counterproposal filed by De La Hunt Broadcasting ("De La Hunt") in response to the Notice of Proposed Rule Making ("NPRM"), DA 99-535, released March 19, 1999 in the above-captioned proceeding. <sup>1/</sup>

2. In the NPRM, the Commission proposed the allotment of two channels -- Channels 221A and 283A -- to Blackduck, Minnesota, as CRB had itself initially proposed in the Petition for Rule Making from which the NPRM arose. In its Counterproposal, De La Hunt proposed instead that Channel 221A be allotted to Kelliher, Minnesota.

3. Rather than deprive Blackduck of the two additional channels which CRB believes are warranted there, CRB proposes that the Table of Allotments be amended as follows:

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<sup>1/</sup> The counterproposal was reflected in a Public Notice, Report No. 2331, Mimeo 93642, released June 8, 1999

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<u>Community</u>	<u>Current Channel Allotment</u>	<u>Proposed Channel Allotments</u>
Blackduck, Minnesota	252C2	252C2, 221A, 283A
Kelliher, Minnesota	--	273

As set forth in the accompanying Engineering Report, Channel 273 can be allotted to Kelliher as a Class A channel consistently with all applicable spacing requirements. Alternatively, Channel 273 could be allotted as a Class C3 facility -- affording considerably more coverage than De La Hunt's original counterproposal contemplated -- with no site restrictions at all. And it could be upgraded even further to Class C2 with a modest site restriction. Moreover, in addition to Channel 273 there are multiple other channels which could similarly be allotted to Kelliher. In other words, any need which Kelliher may have for an FM channel can easily be accommodated without disturbing the allotments originally proposed by the Commission in the NPRM (and by CRB in its original petition).

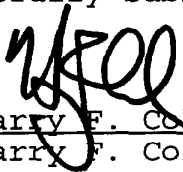
4. The Commission has specifically held that,

after the counterproposal deadline, . . . it is appropriate for a party to the proceeding to suggest alternate channels which may lead to a resolution with respect to the communities already at issue in the proceeding.

Pinewood, South Carolina, 5 FCC Rcd 7609, 7610, ¶11 (1990). That is precisely what CRB is doing here. CRB, the original proponent in this proceeding, is suggesting an alternate channel arrangement with respect to the communities already at issue herein, an alternate arrangement which would appear to accommodate all parties.

WHEREFORE, for the reasons stated, Community Religious Broadcasters renews its proposal that Channels 221 and 283 be allotted to Blackduck, Minnesota. In order to accommodate the counterproposal of De La Hunt Broadcasting, Community Religious Broadcasters suggests that Channel 273 be allotted to Kelliher, Minnesota either as a Class A or C3 channel (with no site restriction) or as a Class C2 channel (with a site restriction as set forth in the accompanying engineering statement.

Respectfully submitted,

  
/s/ Harry F. Cole  
Harry F. Cole

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(202) 833-4190

Counsel for Community Religious  
Broadcasters

June 23, 1999

## ENGINEERING STATEMENT REPLY COMMENTS

Community Religious Broadcasters (hereafter “**CRB**”) submits the following reply comments in the Proposed Rule Making for Blackduck, Minnesota (MM 99-78, RM-9478). CRB initially proposed the following:

<u>Community</u>	<u>Current</u>	<u>Proposed</u>
BlackDuck,MN	252C2	252C2,221A,283A

In the Counterproposal submitted by DeLaHunt they suggest allotting channel 221A to the City of Kelliher, Minnesota. In reviewing the DeLaHunt counterproposal it was found that the **CRB** proposal could be granted as proposed and a new allocation for Kelliher could also be allotted on Channel 273A. The reference coordinates used for Kelliher, MN were:

NAD 27

N 47° 56' 30"

W 94° 26' 53"

Additionally the allotment for Kelliher, MN could be upgraded to a Class C3 with no site restriction. If a site restriction of 8.8 kilometers Southeast of Kelliher was imposed the allotment to Kelliher could be increased to a Class C2.

Proposed Solution:

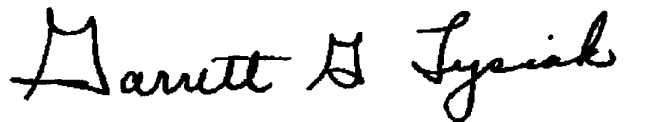
<u>Community</u>	<u>Proposed</u>
Blackduck,MN	252C2,221A,283A
Kelliher,MN	273C3, 273C2*

\*with an 8.8 km site restriction.

The engineering analysis also showed that there are several additional channels that could be allocated to the Kelliher, MN area as Class A facilities and with some minor site restrictions they could also be upgraded to Class C3 facilities.

With the proposed solution both the CRB and the DeLaHunt proposals could be granted with the results being that Kelliher, MN gets an increased first full-time aural service facility and Blackduck, MN gains two additional full-time service facilities.

Respectfully Submitted,

A handwritten signature in black ink, reading "Garrett G. Lysiak", followed by a vertical line.

Garrett G. Lysiak, P.E.

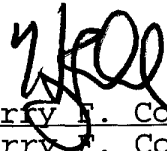
CERTIFICATE OF SERVICE

I, Harry F. Cole, hereby certify that, on this 23rd day of June, 1999, I caused to be placed in the U.S. mail, first class postage prepaid, copies of the foregoing "Reply Comments of Community Religious Broadcasters to Counterproposal of De La Hunt Broadcasting" addressed to the following:

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/s/ Harry F. Cole  
Harry F. Cole